IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 9TH APRIL 2007 / 19TH CHAITHRA 1929

Bail Appl..No. 1984 of 2007

CRMP.867/2007 of J.M.F.C.-I, PERINTHALMANNA
CRIME NO.144/2007 OF PERINTHALMANNA POLICE STATION

.....

PETITIONER/ACCUSED

KAREEM @ PUNCHAKKARAN KAREEM,
S/O.MAMMU, PUCHAYIL HOUSE, AAKKAPARAMBA,
PERINTHALMANNA, MALAPPURAM DISTRICT.

BY ADV. SRI.BABU S. NAIR

RESPONDENTS: STATE

THE STATE OF KERALA, REPRESENTED BY
THE SUB INSPECTOR OF POLICE,
PERINTHALMANNA POLICE STATION- THROUGH
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, KOCHI-31.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/04/2007, ALONG WITH B.A.2046/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application Nos. 1984/2007 & 2046/2007

Dated this 9th day of April, 2007

O R D E R

The common petitioner in these applications for regular bail is the common first accused in Crime Nos.144/2007 and 145/2007 of Perinthalmanna Police Station. Crime No.144/2007 stands registered for offences punishable under Sections 376 and 506(i) IPC read with Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Crime No.145/2007 stand registered for offences punishable under Sections 447, 323, 324 and 506(i) IPC read with Section 34 IPC and also under Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. The petitioner surrendered before the J.F.C.M-I, Perinthalmanna on 23.3.2007 and was remanded to judicial custody where he continues.

2. In as much as the police custody of the petitioner was also given and potency test is also over, having regard to the facts and circumstances of the case including the duration of judicial custody of the petitioner, I am inclined to grant bail to the petitioner only from a future date.

3. Accordingly, the petitioner is directed to be released on bail with effect from 16.4.2007, on his executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M-I, Perinthalmanna in each of the cases and subject to the following conditions:

(a). The petitioner shall report before the Investigating Officer between 9 am. and 11 am. on all Wednesdays.

(b). The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

(c). The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

(d). The petitioner shall not commit any offence while on bail.

4. If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

These applications are allowed as above.

V.RAMKUMAR,
JUDGE

mrcs